

### **REMARKS**

This Amendment is submitted in full response to the outstanding Office Action dated July 1, 2004 on the merits in the above-identified Patent Application.

The Examiner has found the originally submitted Declaration to be defective. Specifically, Applicant failed to provide a post office address in the original Declaration. To cure this defect, Applicant submits a new Declaration providing Applicant's post office address. The Declaration identifies the filing date and serial number of the Patent Application and has been signed by the Applicant. The newly submitted Declaration provides Applicant's post office address and is believed to be in compliance with 37 CFR 1.67(a).

Pursuant to the outstanding Office Action, the Examiner has rejected Applicant's original claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over Smith et al., U.S. Patent Number 6,195,000 in view of Stimmel, U.S. Patent Number 6,678,719.

In response, Applicant has cancelled original claims 1-9 directed to a device. Applicant's remaining claims 10-14 are directed to a method for establishing social interaction on a computer network comprising a series of recited steps, as set forth above.

The reference to Smith et al. discloses an emergency auto visual communication system which allows a stranded motorist, accident victim, medical emergency, etc. to communicate the emergency situation to a casual observer, proper authorities, or other parties without requiring the user to

leave the safety and confines of the vehicle. According to Smith et al., the user is provided with an electronic message board attached to the rear window of the vehicle, wherein the message board is controlled by an alpha-numeric computer keyboard located within the vehicle. The desired message is entered into the computer keyboard and is illuminated on the electronic message board.

Attorney for Applicant has reviewed the reference to Smith et al. in its entirety. Throughout the specification, Smith et al. discussed use of the electronic message board in emergency situations, whereby the user directs an observer to call for help by contacting a third party, such as the police, a doctor, an ambulance or a family member.

The reference to Smith et al. fails to teach or suggest a method wherein the user invites an observer to engage in social interaction on a computer network (e.g. the Internet) at a subsequent time. Nowhere in Smith et al. is there even a suggestion that the observer, once having viewed the user's electronic message board, will subsequently contact the user via a computer network (e.g. the Internet) for social interaction. The Smith et al. system is for emergency purposes wherein an observer is instructed to contact third parties for emergency assistance. The Smith et al system is not intended for use to establish social interaction on a computer network. More particularly, the reference to Smith et al fails to teach or suggest a method for establishing social interaction on a computer network, wherein a first person activates a visible message display device and allows a second person to see the first

person and obtain information displayed on the device, and to then allow the second person to subsequently contact the first person via a computer network to establish electronic communication between the first person and the second person for social interaction, as specifically recited in Applicant's original claims 10 and 14. According to the disclosure in Smith et al., the observer of the electronic message board is never invited to contact the user for subsequent social interactions via a computer network or any other means of communication.

The Examiner relies on the reference to Stimmel to provide a teaching of a method of displaying information on how to contact others through a communication network.

The reference to Stimmel discloses an inter-communication system and method for use in a virtual workplace. According to Stimmel, users of the disclosed system and method are primarily businesses and other electronic communities which have a hybrid fiber coax (HFC) network to which workers are connected. The HFC network provides the workers with continuous connectivity to the Internet in that the HFC network is in an "always on" mode. Users of the Stimmel system and method are provided with a variety of communication methods for contacting other users including: e-mail; telephone; facsimile; instant chat; and video conferencing. According to Stimmel, all communications among users of the system are conducted via the HFC communications network. When one user of the Stimmel system desires to communicate with another user of the Stimmel system, the user must first

determine the status of the other user. If the other user is "available" then the user can enter a desired communication method in an electronic window which is delivered to the other user via the HFC communication network. Accordingly, all contact among users of the Stimmel system, including initial contact, is performed electronically via the HFC communications network. In almost all instances, the users are not within view of one another.

Applicant's original claims 10-14 recite a method for establishing social interaction on a computer network wherein a first person is provided with a device for displaying a message to the attention of a second person containing information on how to contact the first person on a computer network. The second person is able to see the first person, obtain the information and subsequently contact the first person via the computer network to establish social interaction. Unlike Stimmel, Applicant's message displaying device is not connected to an HFC communications network. Moreover, in Applicant's claimed method, the second person viewing the displayed message is within sight of the first person.

Combining the references to Smith and Stimmel fails to render Applicant's invention obvious. Specifically, the references to Smith and Stimmel, considered alone or in combination with one another, fail to teach or suggest a method for establishing social interaction on a computer network, wherein a first person and a second person are within direct sight of one another and the first person displays a message to the second person containing information identifying how to contact the first person on the

computer network, and wherein the second person subsequently contacts the first person via the computer network to establish social interaction, as recited in Applicant's claims 10 and 14.

Combining the Smith device with the Stimmel system would render both the Smith device and the Stimmel system inoperative for their intended purpose. Specifically, combining Smith and Stimmel would require the observer to be connected to the HFC communications network, which is highly unlikely in a roadside emergency situation. Further, the electronic message board in Smith et al is not connected to the HFC communications network, as required by the Stimmel system. Accordingly, one skilled in the art would not be motivated to combine the Stimmel system with the Smith device. Notwithstanding, combining the Smith et al device with the Stimmel system fails to achieve the recited steps of Applicant's claimed method. Specifically, the combination of Smith et al with Stimmel would fail to provide a method of establishing social interaction on a computer network, wherein a first person and a second person are in direct sight of one another and the first person displays a message directed to the second person instructing the second person on how to subsequently contact the first person on a computer network, and wherein the second person subsequently contacts the first person on the computer network for social interaction, as recited in Applicant's original independent claims 10 and 14.

It is, therefore, respectfully submitted that the references to Smith et al Stimmel, considered alone or in combination fail to teach or suggest Applicant's method as recited in claims 10-14.

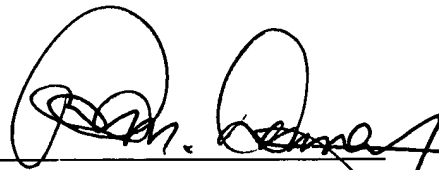
Since nowhere in the art is Applicant's claimed method to be found, taught or suggested, it is respectfully submitted that this Application is in condition for allowance.

For all of the reasons advanced above, the Examiner is respectfully requested to reconsider Applicant's amended claim program and to pass this case to early favorable allowance.

Respectfully submitted,

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